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ABSTRACT

The assumption that educational freedom is solely defined by freedom to choose a school is challenged in this paper. Based on the concept of a "system" of interdependent freedoms, a case study of the French school choice program adopted in 1959 is presented. Methodology involved longitudinal documentary analysis of primary sources produced between 1959 and 1985 and interviews with 16 French policy actors. Findings provide descriptions of French private school aid policy, conflicting freedoms that shaped the policy, and later conflicts around freedom. The French experience suggests that political freedoms could be lost if choice programs are adopted; reveals the simplistic nature of many American choice proposals; and suggests that freedoms may be limited within privately established schools. A conclusion is that school choice policies must embody an understanding of the complex meaning of freedom in a democratic society. (33 references) (LMI)

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CHALLENGING THE ASSUMPTION THAT CHOICE IS ALL THAT FREEDOM MEANS: A FRENCH CASE STUDY

BY

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Introduction

Currently, school choice is one of the most widely advocated reforms of American education. Scholars of various political persuasions have long argued for it (Chubb & Moe, 1990; Coleman & Hoffer, 1987; Coons & Sugarman, 1978; Friedman, 1962; Jencks, 1972). President Reagan placed it on his administration's policy agenda in the early 1980s, and in 1991 President Bush included it in his "America 2000" education strategy (Cibulka, 1990; U. S. Department of Education, 1991). For a time it seemed that choice programs would be restricted to public schools. More recently, however, high ranking policy leaders have begun to argue for choice programs which would include private schools as well. For example, Secretary of Education Lamar Alexander and the administration of which he is part support subsidizing religious schools through a voucher program (Allis, 1991).

It is interesting to analyze the language in which these proposals are typically couched. They reflect an economic metaphor of society in which schools are enterprises, education is a product, and families are consumers. For example, the authors of a recent popular article describe school choice policies as setting up educational "markets" (Shapiro, 1991). The economic metaphor is by no means limited to popular works. Friedman (1962) compares selecting a school to selecting a restaurant. Glenn (1989) writes of "individual families as consumers of educational services" (p. 4). And Finn (1990) goes further. Describing himself as "a long-time consumer. . .of

private education," (p. 3), he argues that a society which does not provide school choice is not truly democratic. Finn thus directly links school choice to the democratic value of freedom.

But is the power to choose a school for one's child the only thing that educational freedom means in a democratic society? In political philosophy, freedom is a multi-faceted value which includes such freedoms as the freedom of conscience, the freedom of expression, the freedom to participate in the political system, the freedom to join organizations, and the freedom to select one's own life style. To be sure, the freedom to choose a school for one's child might be a component of one or more of these freedoms. Yet, the school system is such a complex social institution that the implementation of a choice policy would surely affect other freedoms as well.

It is the purpose of this paper to challenge the prevalent assumption that freedom to choose a school is all that educational freedom means. In doing so, I shall apply the theoretical concept of freedom which the political philosopher John Rawls develops in A Theory of Justice (1971) to a case study of a school choice program which has been in effect since 1959. That school choice program is one which France adopted in late 1959 with the passage of the Debré Act, modified in 1971 and 1977 with the Pompidou and Guermeur Acts, and reformed in 1985 with the Chevènement Act.

The choice of France for this case study was not a random one. The French example is relevant to Americans for several

reasons, including the fact that France is a large Western democracy with a heterogeneous population and separation of church and state. More important is the fact that the ideological roots of public education in the two nations are closely intertwined. Both countries established public education systems in part because of a set of beliefs which developed out of the Enlightenment and found expression in a revolution. Those events did not occur independently. Rather, the leaders of the Enlightenment, the revolutions, and the nascent public school systems in both countries knew each other well and influenced each other.

For example, in 1779 (three years into the American Revolution) Thomas Jefferson developed a bill to establish a free public education system in Virginia (Benson, 1971). In 1792 (three years into the French Revolution), Condorcet published his Rapport sur l'instruction publique [Report on public education], calling for the establishment of a free public education system in France (Cornec & Bouchareissas, 1982). Condorcet and Jefferson were close friends who admired each other's ideas (Benson, 1971). Moreover, the influence of other French thinkers on Jefferson's educational philosophy--and his on theirs--is well documented (Honeywell, 1931; Kaplan, 1967). Thus it is not surprising that in the nineteenth century both France and the United States adopted the "common school ideal" (Glenn, 1989). At about the same time, both countries also adopted the policy of providing tax money only for public schools. Private schools could exist but had to support themselves financially.

By and large, the United States still accepts the policy of "public money for public schools." The French, however, changed that policy in the 1950s, sparking intense controversy. That controversy was expressed in ideological terms which would sound familiar to American ears. Thirty-two years later, the French still subsidize private schools, including private religious schools. Their experience provides Americans with a rare opportunity to examine the freedom issues raised by a school choice program which was implemented in a country which accepts many of their own educational ideals. As Glenn (1989) writes:

> The French experience is worth understanding in its own right, but it serves also as essential background to the policy debates over the common school and educational freedom that break out periodically in many nations. (p. 9)

Theoretical Framework

In 1971 the Harvard philosopher John Rawls published A Theory of Justice, a treatise which has been widely recognized as one of the major contributions to political philosophy of this century (Dahl, 1984). In his book Rawls develops a concept of the just society which, though based on the social contract theories of Locke, Rousseau, and Kant, "carries them to a higher level of abstraction" (Rawls, 1971, p. 11). In Chapter IV, "Equal Liberty," he elaborates a theory of freedom. This theory provides a meaningful framework for a discussion of educational freedom in France and the United States since the ideas of the founders of public education in both countries were influenced by Locke and Rousseau.

According to Rawls,

> liberty can always be explained by a reference to three items: the agents who are free, the restrictions or limitations which they are free from, and what it is that they are free to do or not to do. (p. 202)

Both individuals and associations can be free or restricted. Rawls identifies several basic freedoms: freedom of thought and conscience, the civil liberties, freedom of the person, and political freedom. In a later chapter on political economy, Rawls also argues that, given just social institutions, market systems are consistent with freedom since they provide a way for citizens to make economic choices. According to Rawls, these freedoms do not exist in isolation; rather, they constitute a "system" of freedoms. If any freedom is unrestricted, it conflicts with other freedoms. Therefore, the maintenance of a system of liberties involves balancing each freedom against all the others.

Rawls' theory suggests the following research questions for this study:

1. Under the French private school aid policy, 1959-1985, which agents gained/lost freedom?

2. Under the French private school aid policy, which of these freedoms were gained/lost--and by whom: freedom of conscience, freedom of thought, choice of school, and political freedom (freedoms of speech, assembly, association, participation in political processes)?

3. In what ways was the total system of liberty which the policy set up balanced or unbalanced?

Methodology

This study is based on the re-analysis of data from an earlier study. The earlier study was a longitudinal policy analysis of French private school aid policy, 1959-1985, using an analytical framework developed by Coplin and O'Leary (1981) and a theoretical framework derived from Dahl's (1982) Dilemmas of Pluralist Democracy. The present study involves a narrowing of the subject in order to focus on those aspects of the French policy issue which raise the issue of freedom as Rawls (1971) defines it.

The major research methodology for both studies was documentary analysis, using French primary source materials. Documents for possible use were selected according to the criteria for historical inquiry. They had to be materials produced by French nationals between 1959 and 1985 and had to have been written close to the time of the events. From this population of documents, a manageable sample was selected, using two criteria. The sample had to represent different classes of data and a range of political opinion. One major source selected was Journal Officiel, published by the French Parliament. From it five parliamentary debates and all the private school legislation passed between 1959 and 1985 were selected. Other sources included two Paris newspapers of different political orientations and several statistical, economic, and demographic reports. Finally, fourteen scholarly books and fifty-seven scholarly articles were selected for analysis.

Elite interviewing supplemented the major methodology. In May and June 1989, the researcher interviewed sixteen French policy actors in Paris, using a semi-structured interview guide in French. The interviewees represented thirteen organizations involved in policy development. They included spokesmen for both private and public school groups. All were high-level, national officials in their respective organizations. The researcher took notes during each interview and expanded them within twenty-four hours. The expanded interview notes comprised a data set.

In the first stage of analysis of the original study, the researcher reduced all of the data except the interview notes by summarizing them in French and English. For this re-analysis of the data, she developed a coding system based on the Rawls's conception of freedom. The reduced data were coded by hand. Then the data relevant to freedom were entered into eighteen separate computer files, one file for each code. These entries were separated chronologically into three periods: 1959-1971; 1972-1981; and 1982-1985. These years correspond to three political eras in France: the Gaullist era, the neo-conservative era, and the Mitterand era. Using print-outs from the eighteen files, the researcher displayed the data thematically according to code and chronologically according to period.

Findings

The discussion of the findings of this study will be divided into three sections. The first will briefly describe the private school aid policy which France adopted in 1959. The second will

describe the conflict between the freedom of private groups to establish schools, the freedom of parents to choose their child's school, and children's freedom of conscience--the conflict which shaped the original 1959 policy. The third will describe two conflicts which developed later in the period under study: (1) the conflict between the freedom of private groups to establish schools and the right of citizens freely to participate in government decisions and (2) the conflict between the freedom of private school administrators to operate their schools and the freedom of private school teachers to believe, think, and live as they choose.

The French Private School Aid Policy

In modern times French public schools have enrolled approximately 85% of the school age population. The remaining pupils attend private schools. These are largely Roman Catholic, but some other religious groups run private schools as do some large companies. There are also some non-sectarian private schools which cater to special needs. After World War II Catholic education faced a serious financial crisis, leading its leaders to pressure the government for aid. In 1951 a small voucher program was implemented. This resembled the Minnesota tuition tax credit program in that the sum per child was minimal and both public and private school students received aid. Since this program proved inadequate, Catholic education leaders continued to campaign for financial assistance. The result was the Debré Act of 1959 (Cornec & Bouchareissas, 1982).

The Debré Act offered private schools four options: (1) They could refuse government aid and remain unregulated. (2) They could let the government pay teachers' salaries under a sub-contracting system and accept moderate regulation. (3) They could let the government pay both teachers' salaries and school operating expenses and accept more extensive regulation. (4) They could apply to become part of the public school system. Government regulation focused on teacher credentials, curriculum, the number of hours of instruction offered weekly, and financial audits. Moreover, subsidized private schools had to accept children of all religions and backgrounds. They had the right to maintain a "distinctive character," but had to respect their pupils' freedom of conscience (Journal Officiel: Lois et Decrets [JOD], 1960). The large majority of private schools chose to accept the subsidies (Sainclair, 1965).

The Conflicting Freedoms which Shaped the Policy

As has been indicated above, a financial crisis caused the leaders of French private schools to seek government subsidies. Policy proposals must be justified, however, and those who led the movement for government aid justified their cause very skillfully. They developed a complex argument to the effect that freedom of thought in a democratic society depends upon public support for private schools. An embryonic form of this argument is evident in the debates which surrounded the passage of the Debré Act in 1959; it obviously influenced the wording of the law. Yet even after the passage of the law, private school

leaders continued to elaborate and publicize their argument. It did not achieve its final form until the mid-1980s, when the French Left--which had long opposed subsidies--accepted it in the Savary Bill and the equivalent of the U.S. Supreme Court upheld it in a 1985 decision. By that time, public opinion had shifted from opposing aid for private schools to strongly supporting it (Savary, 1985). Obviously the argument was persuasive.

Essentially, private school leaders and their conservative political supporters linked private education to the basic freedoms of thought, conscience, and expression. As they saw it, it is dangerous for a government to have a monopoly over education, for schools play a major role in shaping the beliefs of their students. Thus, genuine democracy depends upon "educational freedom"--the freedom of private citizens or groups to establish schools and the freedom of parents to select those schools for their children. As some private school leaders expressed it in 1977:

> Basically, educational freedom is the freedom of a French citizen to open a school, either on his own or with the support of a group; it also includes his or her freedom to direct and lead this school by bringing together a team of willing educators to collaborate with the parents in implementing an educational project; finally, it involves the freedom of parents to entrust the education of their offspring to this school. (Comité National de l'Enseignement Catholique, 1977, p. 31.)

As suggested in the quotation, the advocates of this argument recognized that the exercise of educational freedom by parents depended upon the existence of clearly identifiable choices. Thus, it was important for each private school to be

able to develop and maintain a distinctive identity; it was equally essential that parents be able to ascertain the nature of that identity. This goal could be achieved by giving private school principals the power to recruit, evaluate, and dismiss their teachers. It could also be achieved by requiring each private school to develop a written document called an "educational project" and to make this document available both to parents and to prospective teachers.

Of course, unsubsidized schools could easily meet all of the above standards. But parents could not choose an unsubsidized private education for their children unless they had the financial means to do so. Private school leaders argued that the government's refusal to subsidize private schools was a violation of the democratic principles of freedom of conscience and equality. Wealthy families were free to choose an education which was consistent with their values, but poorer ones were not. As one private school leader put it in his 1989 interview: "A freedom which is based upon one's financial condition is not a true freedom; it's a snare."

Private school supporters thus insisted that the government subsidize private schools so that parents could exercise their freedom to choose an education for their children which was consistent with their beliefs. In doing so, they anticipated Rawls's (1971) statement:

> Historically one of the main defects of constitutional government has been the failure to insure the fair value of political liberty. . . .Public resources have not been devoted to maintaining the institutions re-

> quired for the fair value of political liberty. (p. 226)

Interestingly, one by-product of the campaign to obtain public funds for private schools was a more general movement of French society toward the use of public resources to maintain democratic institutions. One Catholic leader elaborated on this theme in her interview:

> We believe in freedom; and one of the basic freedoms is educational freedom. Children don't belong to anyone; but their parents and the state have duties toward children. Some of those duties are educational. Freedom can't just be theoretical. In an advanced democracy the basic freedoms are supported financially. Thus in France the mass media, the labor unions, and private education are subsidized. . . .Quite simply, our idea that freedom cannot remain theoretical has made its way.

In conclusion, a large part of the reason for the success of the private education lobby over the years has been its well conceptualized and clearly articulated understanding of what freedom means in a democratic nation.

It should not be thought, however, that French supporters of public education and the common school ideal sat back quietly while these arguments were advanced. On the contrary, in the 1950s they fought hard to prevent the subsidization of private education; and over the years they have remained vigilant. Although they based their attack primarily upon their belief in the importance of the common school and upon their concern about social equality, they also responded with a freedom issue of their own. They argued that the advocates of government aid for private religious schools were excessively concerned about the

freedom of private groups, private school administrators, and parents--and extremely unconcerned about the freedom of the children for whom schools are established. They believed that the importance of children's freedom of conscience and thought far outweighed the freedom of the other agents involved in education.

This position derived from their conception of the true purpose of education. In 1989 a leader of a public education advocacy group expressed their core idea clearly in his interview:

> The problem is, first of all, an ideological one. The development of young people's minds is very important. It's possible to shape people's minds in schools. Thus, for the Catholic Church schools are a way to create lots of little Catholics who will eventually become grown up Catholics. As for those of us who support public education, we stress critical thinking and reasoning power. In the eighteenth century Voltaire and other Enlightenment figures wanted to encourage independence, reasoning, and thought [through education]. Those are the traditional goals of our public school system, and I still believe in them.

Thus, public school supporters argued that private schools endangered their students' freedom of conscience and thought. They did this in two ways. Most obviously, religious schools taught the academic disciplines from a particular perspective and imposed religious views upon children. Somewhat less obviously, all private schools--even non-sectarian ones--restricted the social contacts of children, thus preventing the intellectual stimulation which results from exposure to people from different backgrounds. In Rawls's terms, the opponents of the subsidies believed that children's freedom conflicted with that of their

parents and religious leaders. In such a case, they preferred to support the freedom of children.

The Debré Act and the decrees which implemented it were specifically designed to balance these freedoms against each other. The first article of the law began with a reaffirmation of public education and of the fact that the French Republic guarantees children and young people access to such an education. Next, the importance of educational freedom and the right of private schools to exist were asserted. Finally, the nature of the financial aid to be granted to private schools was specified: they could enter into contractual agreements with the national government to offer non-sectarian instruction. If they chose to do so, the classes which were covered would be regulated. (JOD, 1960, 66). Then followed two key sentences which sought to resolve the conflict between the freedoms of the private school, parents, and children.

> The school, while maintaining its distinctive character, must provide its teaching with complete respect for freedom of conscience. All children, without distinction of origin, opinion, or belief, must have access to it. (JOD, 1960, 66).

Since the regulation of subsidized schools included curriculum requirements and the evaluation of private school teachers by public school supervisors, it was possible to monitor the extent to which children's freedom of conscience was respected.

The law was, of course, ambiguous. How does a religious school maintain its distinctive religious character while respecting its students' freedom of conscience? If a Catholic

school is known to have a "distinctive" character, to what extent does the child of Jewish, Moslem, or agnostic parents have genuinely free access to it? The policy as drafted in 1959 did not resolve these issues. Instead, it established the general principle that the conflicting freedoms were to be balanced against each other. It left to schools, teachers, families, and children the challenging task of working out the details of this "system of liberty."

That the French have, by and large, worked out those conflicts is revealed by the widespread support which the policy enjoys in public opinion (Leclerc, 1985; Savary, 1985). It was also revealed in the Savary Bill and the Chevènement Act, documents in which the French Left finally accepted the principle of educational freedom as defined in the Debré Act (Favoreu, 1985; Savary, 1985). It was also revealed in the interviews conducted in the spring of 1989. For example, these are the words of a leader of a private education lobbying group:

> Formerly, the private school was a school of the church; with financial aid from the state it became a school of the nation with a Christian educational project. Now, a school of the church is reserved for Catholic families. Its goal is--if I may permit myself to use a rather American phrase--to manufacture little Catholics. Today, our schools are open to everyone. . . . Openness to everyone is the important thing. Of course, it is a legal requirement as a result of accepting government aid. But this openness is completely consistent with the spirit of the Church since Vatican II. There is no conflict--quite the opposite. Therefore, we are open to all religions, all philosophies.

Leaders of public school groups, who bitterly opposed the policy at its inception and for many years afterward, have also

come to accept it. Here are the comments of the leader of a public school teachers' union which was once known for its fierce opposition to the Debré Act:

> Formerly, private school teachers were mostly monks and nuns--the differences between private and public school teachers were enormous. Today, the two groups of teachers are becoming more and more alike. Private education has become more secularized, and we have pretty good relationships with the teachers. On both sides there are a just a few "fundamentalists"--people who still take the old positions. . . .

It can be said, then, that through the Debré Act and its implementation the French successfully balanced the freedom of private groups to establish schools, the freedom of parents to choose private schools, and the freedom of conscience of private school students.

Later Conflicts around Freedom

The framers of the Debré Act did not foresee all of the ways in which freedoms might conflict, however. By the 1970s two other areas of conflict had become apparent. One of these was a conflict between private schools and local governments. The other flared up between private school administrators and teachers. Apparently, neither of these potential problems had been foreseen at the time of the passage of the Debré Act. Each will be discussed in turn.

Under the Debré Act and subsequent private school legislation, private schools which accepted subsidies signed contracts with the national government. Yet local governments were required to contribute some funds to the subsidized private schools within their jurisdiction. In essence, this meant that French

citizens were being taxed without representation and that their freedom to participate in the political process which determined local spending policies had been curtailed. The problem of students from other jurisdictions was especially vexing. Municipal governments resented having to raise taxes to pay educational expenses for students who attended private schools in the city but resided in a rural township nearby. As a result, large numbers of local governments took their complaints to court, alleging a violation of their political freedom under the national constitution. When they went to court, they usually ceased to pay their share of the private school subsidies. In such cases private schools and their parent organizations promptly countersued, alleging that the local governments were preventing them from exercising their educational freedom. By the early 1980s hundreds of such cases had reached the courts (Leclerc, 1985).

A second conflict concerned the teachers in private schools. It will be recalled that concern for the freedom of thought and freedom of conscience of private school students had been important in the development of the original policy. Strangely, no one raised the possibility that teachers might also experience problems in this area. There seem to be several explanations for this omission. In 1959, a substantial percentage of the teachers in Catholic schools were monks and nuns; during the 1960s many of these retired and were replaced by lay teachers. By the 1970s the large majority of private school teachers were lay people (Trégaro, 1976). The 1960s and 1970s also saw a general relax-

ation of traditional sexual norms (Mermet, 1985). Moreover, throughout the 1970s neo-conservative governments steadily increased the freedom of private school principals to operate their schools without much government interference. Unlike French public school principals, they exercised considerable influence over teacher hiring, evaluation, and dismissal (Leclerc, 1985). Finally, although the Debré Act had merely given private schools the right to maintain a "distinctive character," the 1977 Guermeur Act required teachers to respect this "distinctive character" (JOD, 1977).

Conflicts between private school teachers and principals began to escalate in the early 1970s. Controversies centered around job security, since the teachers did not have tenure and could easily be dismissed or transferred if they did not respect their school's "distinctive character" as defined by the principal. The fact that some principals defined this concept broadly, extending it to cover such matters as teachers' private lives, dress, political activities, level of religious practice, and union membership, increased the likelihood of conflict (Khaldi, 1985; Trégaro, 1976).

Most of the characteristics of this conflict between freedoms emerge in the famous Quimperlé case of 1970. Mrs. Brunou of Quimperlé was a teacher at Our Lady of Kerbertrand Elementary School, a subsidized Catholic school. In 1970 she married a divorced man, and her principal dismissed her. She appealed her dismissal to the civil court in Rennes and won her case. Mean-

while, the principal had so turned the parents against her that she found it impossible to resume her former position. The regional Private School Parents' Association issued a press release, protesting the court decision and arguing that private school teachers' life styles should be consistent with the Christian values which they taught in their classrooms. The head of the regional private school teachers' union retorted angrily that perhaps teachers should accept in their classrooms only those students whose parents practiced the same values which they demanded of teachers (L'Année Politique, 1970; Trégaro, 1976).

Over the years a number of similar cases became causes célèbres in the media. For example, in southern France a secondary male teacher was threatened with dismissal because he had run for municipal office on a Socialist ticket. In 1975 a married female teacher was fired because of two successive pregnancies. Not infrequently the parents' associations made it impossible for teachers to return to their positions even if they were victorious in a court of law (Trégaro, 1976). In 1984, a philosophy teacher in a private high school anonymously depicted his professional life in a newspaper article entitled "Un enfer" (A hellhole). He described attacks against both teachers' academic freedom and their freedom to hold their own political and religious beliefs. He recommended that any private school teacher who was living with a member of the opposite sex hide that fact carefully and alleged that in his school administrators looked askance at such articles of dress as tennis shoes, tunics, and

long skirts.

It is extremely difficult to assess how widespread such problems were. However, two pieces of evidence suggest that they occurred frequently enough to be worrisome. In his interview one representative of a Catholic organization spoke at length of the issue, for it troubled him. He was fully aware of the tension between educational freedom and teachers' freedom of conscience. He believed that, although it was possible to find a proper balance, it was not always easy to do so. Another piece of evidence which suggests that the problem was relatively serious is the position which the private school teachers' unions took on the Savary Bill in 1984. One of the most controversial provisions of the bill--and one which Catholic school leaders fought bitterly--was the granting of tenure to private school teachers. The tenure issue was linked openly and directly to freedom of conscience problems in private schools. Two of the three private school teachers' unions, representing approximately 60% of the teachers, supported the tenure provision, even though this position put them in open conflict with their administrators (Savary, 1985).

In the mid-1980s the Mitterrand Government sought to solve these two problems and several others by reforming the private school aid policy. The proposed reform, expressed in the Savary Bill of 1984, unleashed such a storm of opposition in the summer of 1984 that it was withdrawn from Parliament. The 1985 Chevènement Act partially resolved the conflict between educational

freedom and the freedom of local citizens to participate in the political process. The issue of the freedom of conscience of private school teachers, however, remains unresolved.

Implications for the American Policy Debate

A study of the French private school aid policy and its provision for the protection of several freedoms permits Americans to consider our own debate over school choice in a context which is broader than usual. In the first place, it raises some serious questions about the way that the choice issue has been defined in this country. Proponents of school choice fly the flag of freedom, claiming that they advocate an extension of freedom when they argue that families should be free to choose their children's schools. Opponents of school choice usually respond with a discussion of equity issues. They point out that choice programs may increase racial segregation, heighten the divisions between socioeconomic classes, and lead to the neglect of handicapped children. They may also respond by expressing concern about the loss of the common school ideal. These are indeed important issues.

However, the French experience suggests that school choice policies also raise a host of questions relating to freedom. Under a school choice policy, how can children's freedom of thought and conscience be guaranteed? At what point does a religious education become brainwashing, and what should be done about it if the brainwashing occurs in a school which receives public funds? And at what point does a school's neglect of the

academic curriculum begin to impair children's freedom of thought? What should be done about that situation in a subsidized private school--or, for that matter, in a public one? School choice proposals also raise many questions about the freedom of teachers. Since the early 1960s the freedom of American teachers has greatly expanded; today it is widely recognized that they can exercise freedom of speech, freedom of association, and some forms of academic freedom on the job. Moreover, school boards and administrators have largely lost the freedom to discipline teachers for their lifestyle choices (McCarthy & Cambron-McCabe, 1987). Teachers in private schools do not have such rights. What will happen if private schools in this country begin to receive public funds? Will they come under the civil rights laws which cover public school teachers? If radical, unregulated choice proposals like Chubb and Moe's (1990) are adopted, what will happen to the freedoms of public school teachers?

Moreover, the French experience suggests that many citizens could lose political freedoms if choice policies are adopted. For example, if parents choose a school in another district, where do they pay school taxes? Where do they vote for school board members? And for bond issues? All of these questions are freedom issues. Those who have some reservations about current choice proposals should raise them, clearly identifying them as freedom issues. And ideally, they should be raised now, not after a choice policy has been adopted. The French experience

reveals how difficult it can be to rectify weaknesses in a choice policy which has already been implemented.

The French experience also reveals how simplistic many American school choice proposals are. Most of the proposals which are currently on the policy agenda restrict their understanding of freedom to parents' freedom to choose their child's school. This freedom does appear in the French data; but it is a minor theme, overshadowed by the great freedoms of thought, conscience, expression, and political participation. Ironically, this study also suggests that by ignoring these other freedoms, American advocates of school choice may actually be weakening their ability to garner widespread public support. In France, the development of a complex and sophisticated conception of educational freedom was an important strategy for obtaining the passage of the private school aid policy and for ultimately gaining massive support for it. In the United States, on the other hand, many choice supporters understand parents as "consumers" and schools as "products" between which parents should be able to choose. The flaws in this argument based on an economic analogy are apparent, and antagonize many who might sympathize with a broader, deeper understanding of educational freedom. The United States stands virtually alone among Western industrial democracies in its refusal to subsidize private schools (Bruce, 1983). The French experience suggests that one reason may be the failure of Americans thus far to define the school choice issue in terms acceptable to people who have been influenced by the

Enlightenment and the common school ideal of the nineteenth century. They might find Rawls's concept of a balanced system of freedoms acceptable. That concept, of course, implies government regulation to preserve the balance between the freedoms.

Unfortunately, many of the Americans who currently advocate school choice also advocate another concept: weak government. For example, in an essay in support of school choice, Finn (1990) has this to say:

> We are committed to minimal coercion by the state. Only where public safety or national security demands are we generally sanguine about government telling people what they can and cannot do, making them go places they do not want to go, and barring them from places where they do want to go. (p. 4)

Since school choice would probably not involve either "public safety" or "national security," it is fair to conclude that Finn and his political allies would not favor a carefully structured policy which balances freedoms against each other. Rather they would support a virtually unregulated voucher or "scholarship" plan like that proposed in Chubb and Moe's (1990) Politics, Markets, and America's Schools.

The French experience suggests what such policies really mean. Under them private groups would be free to establish schools, their principals would free to operate them as they pleased, and parents would be free to choose between them. However, there might be little freedom within such establishments. Dissatisfied students and teachers would have little recourse; they would be urged to "choose" another establishment which might prove more to their liking. Unfortunately, changing

schools is not always convenient or easy. Many people would probably "choose" to remain silent and conform in order to avoid being forced out into the "market place" to search for a more congenial school or job. This is not freedom. In their zeal to minimize coercion by the state, the proponents of choice proposals ignore the fact that other institutions, such as private organizations, churches, and families can also be coercive.

In conclusion, the French experience with thirty years of school choice suggests that it is possible to develop choice policies which both enhance and protect the freedoms of most of the agents involved in schools. It also suggests that the construction of such policies depends upon a complex understanding of what freedom means in a democratic society. Unfortunately, most of those advocating school choice in the United States today lack such an understanding. At this time, then, probably the best thing which Americans who would like to see more educational freedom in the United States can do is to reflect upon Rawls's (1971) words:

> The basic liberties must be assessed as a whole, as one system. . . .The worth of one liberty normally depends upon the specification of the other liberties. . . .While it is by and large true that a greater liberty is preferable, this holds primarily for the system of liberty as a whole, and not for each particular liberty. Clearly when the liberties are left unrestricted they collide with one another. (p. 203)

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